

**UNITED STATES BANKRUPTCY COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

	:	<b>Chapter 13</b>
<b>Tracy Lynn Hoover</b>	:	
<b>Debtor</b>	:	<b>Bankruptcy No. 19-15779-MDC</b>
	:	
<b>Capital One Auto Finance,</b>	:	
<b>A Division of Capital One, N.A.</b>	:	
<b>Movant</b>	:	
<b>-v-</b>	:	
<b>Tracy Lynn Hoover and</b>	:	<b>Answer To Movant's Motion</b>
<b>Robert J. Hoover Jr., Codebtor</b>	:	<b>For Relief From The Automatic Stay</b>
<b>Respondent(s)</b>	:	
<b>and</b>	:	
	:	
<b>William C. Miller, Trustee,</b>	:	
<b><u>Additional Respondent</u></b>	:	

**ANSWER TO THE MOTION FOR RELIEF FROM THE AUTOMATIC STAY  
FILED BY TRACY LYNN HOOVER**

And Now Comes, Tracy Lynn Hoover, through her attorney, Jeffery A. Fournier, Esquire, files this Answer to Capital One Auto Finance's Motion for Relief from the Automatic Stay and avers as follows:

1. Admitted.
2. Admitted.
3. Admitted.
4. Admitted.
5. Denied. Respondent/Debtor lacks specific information as to Movant's Right to Assignment. Specific proof is demanded at the time of trial.
6. Denied. The described value of the lien is limited to the value of the automobile. Furthermore, the 18% interest exceeds the interest rate under In Re Till for a 910 Loan.
7. Denied. The Post Petition arrearage amount is overstated and does not reflect payments made by Respondent/Debtor to Movant.

8. Denied. The N.A.D.A. Value alleged by Movant of \$7,725.00 is overstated and does not reflect the mileage and condition of said vehicle.
9. Denied. The vehicle is necessary for the reorganization. It's Respondent/Debtor's only means of reliable transportation for her line of work to generate income to fund the plan of reorganization.
10. Denied. Respondent/Debtor is unaware of Movant as lienholder on the vehicle title. Specific proof is demanded at the time of trial.
11. Denied.
12. Denied. Respondent/Debtor made Post Petition payments to Movant.
13. Denied.
14. Denied.

WHEREFORE, Debtor/Respondent respectfully requests that the Motion be denied.

Respectfully Submitted,

Date: 01/06/2020

/S/Jeffery A. Fournier, Esquire  
Jeffery A. Fournier, Esquire  
Attorney for Debtor/Respondent  
2480-B Durham Road  
Bristol, PA 19007  
(215) 943-1873

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<b>and</b>	:	
	:	
<b>William C. Miller, Trustee,</b>	:	
<b><u>Additional Respondent</u></b>	:	

## VERIFICATION

I, hereby state:

1. I verify that the statements made in this pleading/answer are true and correct to the best of my knowledge, information and belief; and
2. I understand that the statements made in this pleading/answer are made subject to the penalties of 18 Pa.C.S. § 4904 relating to unsworn falsification to authorities.

/s/ Tracey Lynn Hoover  
TRACY LYNN HOOVER  
Debtor/Movant

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<b>and</b>	:	
	:	
<b>William C. Miller, Trustee,</b>	:	
<b><u>Additional Respondent</u></b>	:	

## CERTIFICATION OF SERVICE

I, Jeffery A. Fournier, Esquire, hereby certify that I served a copy of the Answer to Movant's Motion For Relief From The Automatic Stay to the following interested parties by first class prepaid postage and/or electronically on January 6, 2020:

William C. Miller, Trustee (electronically)  
(Additional Respondent)

Mester & Schwartz, P.C.  
Attn: Jason Brett Schwartz, Esquire  
1313 Race Street  
Philadelphia, PA 19107  
(Counsel for Movant)

Tracy Lynn Hoover (Debtor/Respondent)

/S/ Jeffery A. Fournier, Esquire  
Jeffery A. Fournier, Esquire  
Attorney for Debtor/Respondent